

Amendments to the Drawings:

None

REMARKS/ARGUMENTS

Claim 1 was objected to because of informalities. Claims 1-3, 5 and 8 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 1-3, 5 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuno.

Claim 1 has been amended to include the limitation of ultra-pure water containing 0.3 ppm to [0.499] 0.4 ppm of hydrogen in a second cleaning tank. The instant specification in paragraph 0025 describes a range of hydrogen gas from 0.3 ppm to 0.8 ppm. The claimed range of 0.3 ppm to 0.4 ppm is within the disclosed range and satisfies U.S.C. 112 first paragraph. The Matsuno patent specifically negates the range less than 0.5 ppm as described in paragraph [0042] and in claim 7.

In responding to the examiners statements from the action dated 3/5/04, applicant would like to specifically point out the following statement from paragraph [0042] of the Matsuno patent, "[A] hydrogen concentration lower than 0.5 ppm may require too much time in some instances for sufficient removal of resist pieces." Therefore, while 0.5 ppm might be a preferred embodiment, the Matsuno patent specifically teaches away from using concentrations below 0.5 ppm for the above stated reasons. The examiner has failed to consider this specific teaching away in forming the rejection on 3/5/04. Such teaching away clearly falls within U.S.C. 103 and amended claim 1 is allowable over the cited art.

Clearly, from the teaching of the Matsuno patent, one would not expect the range below 0.5 ppm to have the same properties as that above 0.5 ppm. The Matsuno patent teaches that the properties in these ranges are different. The cited case Titanium metals Corp. v. Banner, 778 F.2d 775, 783, 227 USPQ 773, 779 (Fed. Cir. 1985) therefore does not apply under these facts. The described differences between 0.5 ppm and 0.4 ppm are not minute as taught by Matsuno and there is no prima case of obviousness.

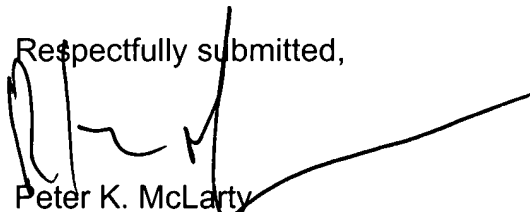
Claim 1 and its dependent claims 2, 3, 5 and 8 are therefore allowable over the Matsuno patent

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicants petition for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,



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